

## **REMARKS**

Objection was made to the specification, and rejection made of the claims, on the basis that the limitation of “a communications protocol that emulates a client/server model wherein commands entered on the programmer are executed as if entered directly on the remote data center such that a command entered on the programmer can effect an execution of operations at the remote expert location” is without support in the specification. Applicant considers such a limitation to be inherent in the identification of a Telnet protocol. Nevertheless, in order to advance prosecution of the application toward issuance, the claims have been amended to delete the specific language identified.

### **I. Claim 21 Rejections**

Claim 21 is again rejected as being anticipated by Webb et al. (WO98/42407). Applicant respectfully traverses.

Webb teaches a system wherein a remote center communicates via the internet with a programmer for an implantable medical device. Webb discloses that a programmer at a patient location communicates information to a remote expert location (p.6, lines 14-19). The communication permits information to be reviewed simultaneously at both the patient location and the expert location (p.6, lines 20-23).

Claim 21 has been amended to focus on the feature of the present invention of programmer data management as described at page 26 in relation to Fig. 7. In this regard, claim 21 specifies the structural elements of means for initiating a connection between the remote data center and the programmer; means for initiating data management according to a data set; means for assessing whether the data set relates to programmer trouble shooting; and means for assessing whether the data set relates to programmer performance parameters.

Accordingly, Webb et al. fails to anticipate or render obvious amended claim 21; and the rejection should be withdrawn.

Claim 21 is also rejected as being anticipated by or obvious from Snell (U.S. Patent 6,249,705).

Snell merely discloses a distributed system of network programmers coupled to a remotely located network server. The server performs additional functions directed to analyzing information received from the network programmers and to transmitting the results of the analyses to the selected network programmers. Snell nowhere suggests that the network server 102 can be accessed by a network programmer 104. Although the programmers are coupled to server, Snell does not disclose a function of programmer data management in regard to programmer troubleshooting and programmer performance.

Accordingly, Snell fails to anticipate or render obvious amended claim 21.

Dependent claims 22, 23, 24 and 25 were also rejected based upon Snell. Because claim 21 has been shown to be patentable over Snell, dependent claims 22, 23, 24 and 25 are also patentable over Snell.

## **II. Conclusion**

Applicant submits that all claims are in form and condition for allowance and requests that a notice of allowance be issued.

Respectfully submitted,

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